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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/797,587	03/11/2004	Yury Zelechonok	CFL 27613	5298
7590	03/30/2006		EXAM	INER
Charles F. Lind			THERKORN, ERNEST G	
2210 East Sherwo			ART UNIT	PAPER NUMBER
Alrlington Hts., IL 60004			L	PAPER NUMBER
			1723	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)		
Office Assistant Communication	10/797,587	ZELECHONOK	ET AL.	
Office Action Summary	Examiner	Art Unit		
	Ernest G. Therko			
The MAILING DATE of this communication apperiod for Reply	pears on the cover	sheet with the correspondence a	address	
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING [- Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the mailinearned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS CO 136(a). In no event, howe will apply and will expire Ste, cause the application to	MMUNICATION. /er, may a reply be timely filed IX (6) MONTHS from the mailing date of this become ABANDONED (35 U.S.C. § 133)		
Status				
1) Responsive to communication(s) filed on 10 l	March 2006.			
2a)⊠ This action is FINAL . 2b)□ Thi	is action is non-fina	1.		
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
closed in accordance with the practice under	Ex parte Quayle, 1	935 C.D. 11, 453 O.G. 213.		
Disposition of Claims				
4) Claim(s) 10-15 is/are pending in the application	on.			
4a) Of the above claim(s) <u>10</u> is/are withdrawn				
5) Claim(s) is/are allowed.				
6)⊠ Claim(s) <u>11-15</u> is/are rejected.				
7) Claim(s) is/are objected to.		-		
8) Claim(s) are subject to restriction and/	or election requirer	nent.		
Application Papers	·			
·· _				
9) The specification is objected to by the Examin		estad të budha Fususiasa		
10) The drawing(s) filed on is/are: a) ac	•	<u>*</u>		
Applicant may not request that any objection to the	- · · ·	, ,		
Replacement drawing sheet(s) including the corre			• • •	
11)☐ The oath or declaration is objected to by the E	xaminer. Note the	attached Office Action or form F	PTO-152.	
Priority under 35 U.S.C. § 119				
12) Acknowledgment is made of a claim for foreig a) All b) Some * c) None of:	n priority under 35	U.S.C. § 119(a)-(d) or (f).		
1. Certified copies of the priority documer	its have been recei	ved.		
2. Certified copies of the priority documer				
3. Copies of the certified copies of the price			al Stage	
application from the International Burea			a. Olago	
* See the attached detailed Office action for a lis	· ·			
Attacker and A				
Attachment(s)	[
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 		nterview Summary (PTO-413) Paper No(s)/Mail Date		
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08	s) 5) 🔲 I	Notice of Informal Patent Application (P	TO-152)	
Paper No(s)/Mail Date		Other:		
.S. Patent and Trademark Office PTOL-326 (Rev. 7-05) Office A	Action Summary	Part of Paper No./Mail	Date 03222006	

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Claims 11-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In lines 7-8 of claim 11, "inward parts of the end coupling members" lack antecedent basis and lack a definition. As such, the claims are considered to be indefinite.

Claims 11-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. No support for "the outer tube having a cylindrical outer surface extending uniformly substantially end to end and comprising the maximum outer dimension of the column." Figure 1 of the instant specification clearly shows the outer column to be significantly shorter than the length of the column. In addition, Figure 1 of the instant specification shows the outer tube is not uniform because it is bent at both ends. As such, the claims are considered to be drawn to new matter.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schick (U.S. Patent No. 5,651,885) in view of Higgins (U.S. Patent No. 4,451,364) and

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either Brown (U.S. Patent No. 6,615,989) or Firth (U.S. Patent No. 4,855,047). At best, the claims differ from Schick (U.S. Patent No. 5,651,885) in reciting use of sealing members and possibly use of a groove. Higgins (U.S. Patent No. 4,451,364) (column 4. lines 33-44) discloses that a plug with sealing surfaces is operative to provide primary sealing surfaces. Brown (U.S. Patent No. 6,615,989) (column 6, line 63-column 7, line 14 and column 7, lines 28-31) discloses that use of a groove shaped deformation provides an interference fit capable of withstanding high pressures without failure occurring between the filter housing and cover assembly. Firth (U.S. Patent No. 4,855,047) (column 4, lines 32-40) discloses use of a groove shaped deformation provides "additional strength to the structure, allowing it to better withstand the high pressures for which" it "was designed." It would have been obvious to use a sealing plug in Schick (U.S. Patent No. 5,651,885) because Higgins (U.S. Patent No. 4,451,364) (column 4, lines 33-44) discloses that a plug with sealing surfaces is operative to provide primary sealing surfaces. It would have been obvious to use a groove in Schick (U.S. Patent No. 5,651,885) in view of Higgins (U.S. Patent No. 4,451,364) either because Brown (U.S. Patent No. 6,615,989) (column 6, line 63column 7, line 14 and column 7, lines 28-31) discloses that use of a groove shaped deformation provides an interference fit capable of withstanding high pressures without failure occurring between the filter housing and cover assembly or because Firth (U.S. Patent No. 4,855,047) (column 4, lines 32-40) discloses use of a groove shaped deformation provides "additional strength to the structure, allowing it to better withstand the high pressures for which" it "was designed."

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The remarks urge that Schick (U.S. Patent No. 5,651,885) does not disclose end couplers. However, on column 6, lines 16-19, Schick (U.S. Patent No. 5,651,885) discloses end fittings as elements 32 and 34. "End fitting" is considered to be a synonym for "end coupler." This is evidenced by column 7, lines 53-55 of Schick (U.S. Patent No. 5,651,885) disclosing that tubes are connected to these ends.

The remarks urge that Schick (U.S. Patent No. 5,651,885)'s outer tube 25 does not overlie the end couplers. However, Figure 2 of Schick (U.S. Patent No. 5,651,885) pictorially shows outer tube 25 overlying end couplers 32 and 33.

The remarks urge patentability based upon "the outer tube having a cylindrical outer surface extending uniformly substantially end to end and comprising the maximum outer dimension of the column." Figure 1 of the instant specification clearly shows the outer column to be significantly shorter than the length of the column. In addition, Figure 1 of the instant specification shows the outer tube is not uniform because it is bent at both ends. As such, the limitation is considered to be drawn to new matter.

The remarks urge patentability based upon excluding the use of a holder.

However, the open ended format of the claims as evidenced by the word "comprising" does not exclude the use of a holder.

The remarks urge patentability based upon deformation. However, Brown (U.S. Patent No. 6,615,989) (column 6, line 63-column 7, line 14 and column 7, lines 28-31) discloses that use of a groove shaped deformation provides an interference fit capable of withstanding high pressures without failure occurring between the filter housing and cover assembly. Firth (U.S. Patent No. 4,855,047) (column 4, lines 32-40) discloses

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use of a groove shaped deformation provides "additional strength to the structure, allowing it to better withstand the high pressures for which" it "was designed." It would have been obvious to use a groove in Schick (U.S. Patent No. 5,651,885) in view of Higgins (U.S. Patent No. 4,451,364) either because Brown (U.S. Patent No. 6,615,989) (column 6, line 63-column 7, line 14 and column 7, lines 28-31) discloses that use of a groove shaped deformation provides an interference fit capable of withstanding high pressures without failure occurring between the filter housing and cover assembly or because Firth (U.S. Patent No. 4,855,047) (column 4, lines 32-40) discloses use of a groove shaped deformation provides "additional strength to the structure, allowing it to better withstand the high pressures for which" it "was designed."

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to E. Therkorn at telephone number (571) 272-1149. The official fax number is 571-273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Ernest G. Therkorn Primary Examiner Art Unit 1723

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EGT March 22, 2006